

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Animal Husbandry Department – Restoration of the original date of regular appointment of certain Veterinary Assistant Surgeons(VAS) who could not pass the departmental test/Account Test within the period of probation in compliance with the orders dated.16-2-2005 of APAT in O.A.No.4591/2001 and batch – Orders – Issued.

ANIMAL HUSBANDRY, DAIRY DEVELOPMENT & FISHERIES (AH-I) DEPARTMENT
G.O.MS.No. 30

Dated: 22-08-2017

Read the following:-

1. Proc.Roc.No.71178/B9/89, dated.26-11-1990 of Director of Animal Husbandry, A.P.
2. G.O.Rt.No.9, AHDD&F (AH-I) Dept., dated.08-01-2001.
3. APAT orders dated.16-02-2005 in O.A.No.4591 of 2001 and batch.
4. High Court Orders dated.23-7-2008 in W.P.No.3171/2006.
5. High Court Orders dated.18-3-2013 in W.P.No.16607/2007.
6. Supreme Court of India Order dated.3-3-2017 in SLA(C) No.39037/2013.
7. From the Director of Animal Husbandry Lr.Roc.No.2214/B.II/B2/2017, dated.17-4-2017.

ORDER:-

In the G.O. 2nd read above, orders were issued revising the dates of commencement of probation of (82) Veterinary Assistant Surgeons who have not passed the departmental test within the period of probation taking the last Thursday of January / July of the year as criteria.

2. Aggrieved by the Orders issued in the said G.O., certain Veterinary Assistant Surgeons have filed cases in A.P. Administrative Tribunal, challenging shifting the dates of commencement of probation which affected their seniority. In the reference 3rd read above, the Tribunal set-aside the orders of the Government.

3. Thereupon, the Department filed a W.P.No.16607/2007 in the High Court who however dismissed the writ petition on 18-3-2013.

4. On the verdict of the High Court a few Veterinary Assistant Surgeons led by Dr. S. Vijayaraj approached the Supreme Court through Writ Petition (civil) No. 1015/39037 of 2013, with a prayer to quash the seniority list dated 28/12/2010 and to direct to prepare a fresh seniority list in accordance with A.P. State and Subordinate Service Rules, 1962 and 1996. The Supreme Court ordered that they do not find any ground to interfere with the impugned order of the High Court and accordingly they dismissed the Special Leave Petitions.

5. In his letter 7th read above, the Director of Animal Husbandry, A.P., Vijayawada among other things, has requested the Government to accord permission to restore the original date of Regular Appointment of all Veterinary Assistant Surgeons whose dates of Regular Appointments were shifted by the Government on account of the prescribed Departmental Test /Account Test not being passed within the period of probation, to enable the department to implement the orders of the Supreme Court in relaxation of relevant rules connected to the matter.

6. Government have examined the matter in detail and after careful consideration hereby accord permission to the Director of Animal Husbandry to implement the orders dated.16-2-2005 of APAT in O.A.No.4591 of 2001 and batch, and the decisions taken by the Director of Animal Husbandry in his Proceedings Roc.No.71178-B9/89, dated.26-11-1990 should continue in respect of the applicants and those who are similarly situated. The orders issued in the G.O. 2nd read above shall be treated as withdrawn.

(p.t.o)

7. The Director of Animal Husbandry, A.P., Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.S.V. PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director of Animal Husbandry,
A.P., Vijayawada.
Copy to:-
Sc/Sf

//FORWARDED::BY::ORDER//

SECTION OFFICER